

104TH CONGRESS
1ST SESSION

S. 988

To direct the Secretary of the Interior to transfer administrative jurisdiction over certain land to the Secretary of the Army to facilitate construction of a jetty and sand transfer system, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 29 (legislative day, JUNE 19), 1995

Mr. HELMS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To direct the Secretary of the Interior to transfer administrative jurisdiction over certain land to the Secretary of the Army to facilitate construction of a jetty and sand transfer system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Oregon Inlet Protec-
5 tion Act of 1995”.

6 **SEC. 2. FLOOD CONTROL IMPROVEMENTS.**

7 (a) IN GENERAL.—

1 (1) JOINT DESIGNATION.—Not later than 60
2 days after the date of enactment of this Act, the
3 Secretary of the Interior and the Secretary of the
4 Army, acting through the Chief of Engineers of the
5 Army Corps of Engineers, shall jointly designate the
6 tracts of land for the jetty and sand transfer system
7 for the Oregon Inlet on the Coast of North Carolina,
8 approximately 85 miles south of Cape Henry and 45
9 miles north of Cape Hatteras (as described on page
10 12 of the Report of the House of Representatives
11 numbered 91–1665), authorized under the River and
12 Harbor Act of 1970 and the Flood Control Act of
13 1970 (Public Law 91–611; 84 Stat. 1818), and the
14 Secretary of the Interior shall transfer administra-
15 tive jurisdiction over those tracts to the Secretary of
16 the Army.

17 (2) FAILURE TO JOINTLY DESIGNATE.—If the
18 Secretary of the Interior and the Secretary of the
19 Army fail to jointly designate the tracts of land by
20 the date that is 60 days after the date of enactment
21 of this Act, the Secretary of the Army shall des-
22 ignate the tracts of land pursuant to a description
23 prepared by the Secretary of the Army, in consulta-
24 tion with the Chief of Engineers, and shall notify the
25 Secretary of the Interior of the designation, who

1 shall transfer administrative jurisdiction over those
2 tracts to the Secretary of the Army.

3 (b) SIZE.—

4 (1) LIMITS.—Except as provided in paragraph
5 (2), the quantity of acreage in the tracts referred to
6 in subsection (a) shall not exceed—

7 (A) with respect to the tract in the Cape
8 Hatteras National Seashore Recreational Area,
9 65 acres; and

10 (B) with respect to the tract in the Pea Is-
11 land National Wildlife Refuge, 35 acres.

12 (2) EXCEPTION.—If the Secretary of the Army
13 and the Secretary of the Interior jointly designate
14 the tracts of land pursuant to subsection (a)(1), the
15 area of each tract may exceed the acreage specified
16 for the tract in paragraph (1).

17 (c) MODIFICATION.—Notwithstanding subsection
18 (b)(1), if, after designating the tracts of land pursuant
19 to subsection (a)(2), the Secretary of the Army determines
20 that any tract is inadequate for the construction, oper-
21 ation, and maintenance of a jetty and sand transfer sys-
22 tem for the Oregon Inlet, the Secretary of the Army may
23 designate, not earlier than 60 days after providing notice
24 of a designation to the Secretary of the Interior under sub-

- 1 section (a)(2), an additional tract of land adjacent to the
- 2 inadequate tract.

